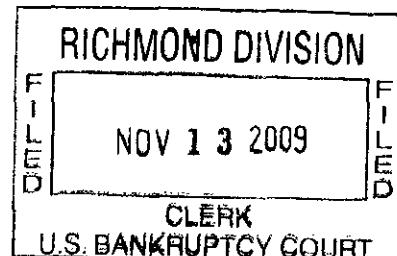


Gregg M. Galardi, Esq.  
Ian S. Fredericks, Esq.  
SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM, LLP  
One Rodney Square  
PO Box 636  
Wilmington, Delaware 19899-0636  
(302) 651-3000



Dion W. Hayes (VSB No. 34304)  
Douglas M. Foley (VSB No. 34364)  
MCGUIREWOODS LLP  
One James Center  
901 E. Cary Street  
Richmond, Virginia 23219  
(804) 775-1000

and

Chris L. Dickerson, Esq.  
SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM, LLP  
155 North Wacker Drive  
Chicago, Illinois 60606  
(312) 407-0700

Counsel to the Debtors and  
Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

---

In re:	)	Chapter 11
CIRCUIT CITY STORES, INC.,	)	Case No. 08-35653 (KRH)
et al.,	)	
Debtors	)	Jointly Administered
	)	

---

**OBJECTION TO DISCHARGE**

**PLEASE TAKE NOTICE** that the Village of Mt. Pleasant, 6126 Durand Avenue, Racine, Wisconsin 53406, objects to the discharge of the Personal Property Taxes levied upon the personal property of the Debtor for the Circuit City Stores, Inc. retail store located at 2710 and 2730 Green Bay Road, Racine, WI 53406, located in the Village of Mt. Pleasant, County of Racine, State of Wisconsin. That the amount due to the Village of Mt. Pleasant for Personal Property Taxes is the sum of \$5,553.90.

**DESCRIPTION OF CLAIM**

- (A) **CAPTION SETTING FORTH NAME OF BANKRUPTCY COURT, NAME OF DEBTORS AND TITLE, ETC.**

See above.

- (B) **CLAIMANT'S NAME AND EXPLANATION OF THE AMOUNT OF CLAIM.**

Village of Mt. Pleasant. Mt. Pleasant has properly taxed the personal property of the debtor pursuant to State law, and debtor has failed to pay the tax.

- (C) **CONCISE STATEMENT IDENTIFYING CLAIM.**

I am Juliet Edmands, Clerk/Treasurer of the Village of Mt. Pleasant, located at 6126 Durand Avenue, Racine, WI 53406. I confirm that the debtor was sent a Notice entitled "State of Wisconsin-Racine County-2008 Property Tax Bill in the amount of \$5,049.00 along with penalty interest in an amount of \$504.90 for a total Tax Statement (Personal Property) of \$5,553.90. See attached as Exhibit 1. The calculation worksheet is also attached as Exhibit 1. The taxes were properly totaled and incurred by the Circuit City Store located at 2710 and 2730 Green Bay Road, Racine, Wisconsin 53406.

- (D) **COPY OF DOCUMENTATION SUPPORTING CLAIM.**

See attached.

- (E) DECLARATION OF PERSON WITH PERSONAL KNOWLEDGE OF THE RELEVANT FACTS THAT SUPPORT RESPONSE.

See attached Exhibit 2.

- (F) CLAIMANT CONTACT INFORMATION.

Juliet Edmonds  
Village of Mt. Pleasant Clerk/Treasurer  
6126 Durand Avenue  
Racine, WI 53406  
Phone: (262) 554-8750  
Fax: (262) 554-6785

- (G) DIFFERENT ADDRESS FOR "NOTICE ADDRESS"

N/A

ADDITIONAL INFORMATION:

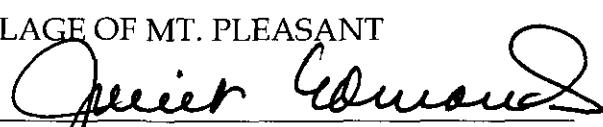
Village Attorney John G. Shannon may facilitate a resolution of the Claim:

Attorney John G. Shannon  
Dye, Foley, Krohn & Shannon, S.C.  
PO Box 081518  
Racine, WI 53408-1518  
Phone: (262) 637-1260  
Fax: (262) 637-1460

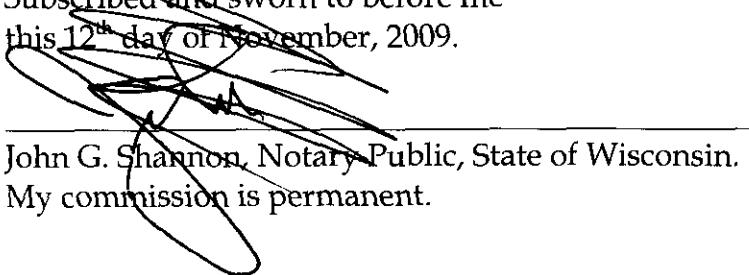
Dated this 12<sup>th</sup> day of November, 2009.

VILLAGE OF MT. PLEASANT

By:

  
Juliet Edmonds, Clerk/Treasurer

Subscribed and sworn to before me  
this 12<sup>th</sup> day of November, 2009.

  
John G. Shannon, Notary Public, State of Wisconsin.  
My commission is permanent.



**DUE DATE**

Mar 1, 2008

**Completed Statement of Personal Property**

Subject to Assessment January 1, 2008

**2008**

**Who must file:** Every person, firm or corporation as defined in section 70.35 WI Statutes, receiving from the assessor a return of personal property, must submit such return to the assessor on or before March 1. This return is confidential and is not available for public inspection.

**Failure to file:** If you fail to file, the assessor must estimate the value of your property using the best information available. In addition, you shall be denied any right of abatement by the board of review, under Section 70.35(4) WI Statutes.

**Property owner** (or in his/her charge as agent, consignee, or other representative capacity):

Circuit City  
Sarah  
PO Box 42304  
Tax Dept.  
Richmond, VA 23242-2304

Account number: 15100-00-03-090-180

Property address: 2710 Green Bay Rd, Unit C

Municipality: Village of Mount Pleasant

County: Racine

**Business activity:**

<b>Status Change</b>	<input type="checkbox"/> Business moved out of municipality (indicate new address on right)	<b>New Owner</b>	Name: _____
	<input type="checkbox"/> Business sold (indicate new owner & address to the right)		Address: _____
	<input type="checkbox"/> Business discontinued		City, ST, Zip: _____
	Date business status changed: _____		Phone: _____

**Schedule A**

**Summary of Personal Property as of January 1, 2008**

Schedule A is the summary of all taxable personal property from Schedules B through H. The total of the column titled 'Assessable Property' is your declaration of personal property subject to tax within this municipality. Do not write "SALY" for "Same as Last Year"; forms must be filled out completely. Note that Schedule D-1 (exempt computers, software, cash registers and single function fax machines) is excluded from the total assessable.

<b>Property Description</b>	<b>Non-assessable Property</b>	<b>Assessable Property</b>
Boats and other watercraft (Schedule B)		\$
Machinery, tools and patterns (Schedule C)		\$
Furniture, fixtures and office equipment (Schedule D)		\$ 293,193
Exempt computers, software, single function faxes & cash registers (Schedule D-1)	\$ 5,547	
Multifunction faxes, copiers, postage meters, phone systems, etc (Schedule D-2)		\$ 15,073
Improvements on leased land (Schedule E)		\$
Supplies (Schedule G)		\$ 1,184
Other personal property (Schedule H)		\$ 5,711
<b>Total assessable (may not include all buildings on leased land if assessor has not determined value)</b>		<b>\$ 315,161</b>

I hereby declare all information given is true and correct for all the personal property for which I am subject to assessment and which was owned by me or held in my possession on January 1, 2008.

Owner's name (please print) Sarah	Preparer's name (if other than owner) (please print)
Owner's mailing address (if different than above) PO Box 42304, Tax Dept. Richmond, VA 23242-2304	Preparer's mailing address
Owner's signature	Date signed
Owner's phone number (804)486-4000	Owner's fax number
Preparer's phone number	Preparer's fax number
Return to: Edward Potter, Assessor 6126 Durand Ave Racine, WI 53406	If you have any questions about this form, please contact:

Schedule B

**Boats and Other Watercraft**

Report boats and other watercraft not exempt. Use additional sheets if necessary. If the schedule is prefilled with information from last year, draw a line through any items disposed of prior to January 1, 2008. See tables of Composite Useful Lives and Conversion Factors at [www.revenue.wi.gov/report/p.html#personal](http://www.revenue.wi.gov/report/p.html#personal) to determine the correct declared value or leave the declared value blank and we will look up the value for you.

Year Asset Acquired	Description of Asset	Cost When Acquired	Useful Life (Years)	Declared Value on Jan 1, 2008
<b>Total declared value (enter here and on Schedule A)</b>				

Schedule C

**Machinery, Tools and Patterns**

Report all machinery and shop equipment. Take the costs shown from your accounting records. Any variation from information contained in your income tax return must be explained by letter or schedule. Summarize all assets by the year the asset was acquired. Assets owned on January 1, 2007 should be summarized in column 2. Assets owned on January 1, 2008 should be summarized in column 4.

Year Asset Acquired	column 2 Total Original Installed Cost as of Jan 1, 2007 by Year Acquired	column 3 Additions, Disposals and Transfers During 2007 (Full Cost When Acquired)	col 2 + col 3 = column 4 Total Original Installed Cost as of Jan 1, 2008 by Year Acquired	column 5 Conversion Factor (10 year)	col 4 x col 5 Declared Value on Jan 1, 2008
2007	\$0			0.925	
2006				0.802	
2005				0.701	
2004				0.608	
2003				0.517	
2002				0.439	
2001				0.373	
2000				0.318	
1999				0.270	
1998				0.229	
Prior to '98				0.133	
<b>Total declared value (enter here and on Schedule A)</b>					

Schedule D

**Furniture, Fixtures and Office Equipment**

Report such assets as office, store and professional furniture, fixtures and equipment, business and professional libraries and other assets related to the sales and administration of your business. Original costs shown in columns 2 and 4 should include all costs of installation, freight, add-ons, and sales tax. Summarize all assets by the year the asset was acquired. Assets owned on January 1, 2007 should be summarized in column 2. Assets owned on January 1, 2008 should be summarized in column 4.

Year Asset Acquired	column 2 Total Original Installed Cost as of Jan 1, 2007 by Year Acquired	column 3 Additions, Disposals and Transfers During 2007 (Full Cost When Acquired)	col 2 + col 3 = column 4 Total Original Installed Cost as of Jan 1, 2008 by Year Acquired	column 5 Conversion Factor (10 year)	col 4 x col 5 Declared Value on Jan 1, 2008
2007	\$0	\$3,400	\$3,400	0.925	\$3,145
2006	\$9,505	-\$9,505	\$0	0.802	\$0
2005				0.701	
2004				0.608	
2003	\$63,391	\$0	\$63,391	0.517	\$32,773
2002	\$11,736	\$0	\$11,736	0.439	\$5,152
2001	\$191,207	\$0	\$191,207	0.373	\$71,320
2000	\$568,564	\$0	\$568,564	0.318	\$180,803
1999				0.270	
1998				0.229	
Prior to '98				0.133	
<b>Total declared value (enter here and on Schedule A)</b>					\$293,193

Schedule D-1

**Exempt Computer Hardware, Software, Single Function Fax Machines, Cash Registers  
Include Only Property that is Owned by You (Not Leased)**

Report all owned mainframe computers, minicomputers, personal computers, networked personal computers, servers, terminals, monitors, disk drives, electronic peripheral equipment, tape drives, printers, basic operational programs, systems software, prewritten software, ATMs, single function fax machines and cash registers. **Do not report custom software.** Report leased computer hardware and software on Schedule F. Summarize all assets by the year the asset was acquired. Assets owned on January 1, 2007 should be summarized in column 2. Assets owned on January 1, 2008 should be summarized in column 4.

	column 2 Total Original Installed Cost as of Jan 1, 2007 by Year Acquired	column 3 Additions, Disposals and Transfers During 2007 (Full Cost When Acquired)	col 2 + col 3 = column 4 Total Original Installed Cost as of Jan 1, 2008 by Year Acquired	column 5 Conversion Factor (4 year)	col 4 x col 5 Declared Value on Jan 1, 2008
2007	\$0			0.813	
2006	\$3,618	-\$2,475	\$1,143	0.518	\$592
2005	\$5,790	\$0	\$5,790	0.333	\$1,928
2004	\$1,212	\$0	\$1,212	0.212	\$257
2003				0.133	
2002				0.083	
2001				0.052	
Prior to '01	\$86,560	\$0	\$86,560	0.032	\$2,770
Total declared value (enter here and on Schedule A)					\$5,547

Note: Per Section 70.36(1M) Any person, firm or corporation that fails to include information on property that is exempt under Section 70.11(39) on the report under Section 70.35 shall forfeit \$10 for every \$100 or major fraction thereof that is not reported.

Schedule D-2

**Multifunction Fax Machines, Copiers, Postage Meters, Telephone Systems and Computerized Equipment**

Report all multifunction fax machines, copiers, postage meters, telephone systems (PBXs) and equipment with embedded computerized components. Summarize all assets by the year the asset was acquired. Assets owned on January 1, 2007 should be summarized in column 2. Assets owned on January 1, 2008 should be summarized in column 4.

	column 2 Total Original Installed Cost as of Jan 1, 2007 by Year Acquired	column 3 Additions, Disposals and Transfers During 2007 (Full Cost When Acquired)	col 2 + col 3 = column 4 Total Original Installed Cost as of Jan 1, 2008 by Year Acquired	column 5 Conversion Factor (6 year)	col 4 x col 5 Declared Value on Jan 1, 2008
2007	\$0			0.875	
2006	\$7,619	\$0	\$7,619	0.669	\$5,097
2005	\$8,602	\$0	\$8,602	0.517	\$4,447
2004				0.395	
2003				0.296	
2002				0.223	
Prior to '02	\$47,257	\$0	\$47,257	0.117	\$5,529
Total declared value (enter here and on Schedule A)					\$15,073

Schedule E

**Improvements on Leased Land**

Report buildings, structures and other improvements which you own, but which are located on land that you do not own. They will be valued in the same manner as improvements located on land that is owned by you. Use additional sheets if necessary.

Year Asset Acquired	Description of Building	Property Address	Value on Jan 1, 2008 (Determined by Assessor)
Total declared value (enter here and on Schedule A)			

Schedule F

**Leased Equipment (Property in Charge of But Not Owned)**

Report all leased equipment such as business furniture, fixtures, equipment, machines, postage meters, tools, advertising devices and similar items loaned, leased, stored or otherwise held and not owned by you. Leased equipment is typically assessed to the lessor (leasing company) but you may have the equipment assessed to you (if your leasing contract requires it). To assess a piece of equipment to you, check the box in the last column and include the value on the correct schedule (as if it were not leased). Failure to report all leased equipment may trigger an audit to verify the accuracy of all information reported. Unlike all other schedules, the total value of all leased equipment is not reported on schedule A.

Name and Address of Leasing Company (Owner)	Lease Number	Type of Equipment	Year Installed	Full Value When Installed	Useful Life (Years)	Assess To Me
						<input type="checkbox"/> Yes*
						<input type="checkbox"/> Yes*
						<input type="checkbox"/> Yes*
						<input type="checkbox"/> Yes*

\* To assess a piece of equipment to you, check this box and report the value of the equipment on the correct schedule (as if it were not leased).

Schedule G  
**Supplies**

Report your supplies inventory. Supplies include items which are expensed, not subject to resale, but are necessary in the conduct of business, or are consumed in the operations of providing customer services. Supplies are items such as those used for selling and advertising, office, shipping, medical, dental, janitorial and cleaning, and any other supplies in your possession on January 1, 2008.

Total supplies inventory on Jan 1, 2008. Do not itemize. Enter here and on Schedule A.	\$1,184
--	---------

Schedule H

**All Other Personal Property, Leasehold Improvements, Signs, Billboards, Video Tapes, Logs and Forest Products, Other Improvements  
on Leased Land, Exempt Land, Forest Crop Land, or Managed Forest Land**

Report all other leasehold improvements and other personal property not reported on a separate schedule. Leasehold improvements are any alterations, additions, or improvements, adding value, made by a tenant to leased or rented premises. Enter the total improvement cost in column 3. Also include other items of taxable personal property having a market value and not included in any of the other schedules. This schedule also includes logs and other forest products belonging to persons whose principal activity is not related to the buying, selling or manufacturing use of such property. Merchant's or manufacturing stock are exempt. Use additional sheets for specific categories of products, if necessary. Report improvements on leased land (exempt) and privately owned structures, billboards, or special taxed land. See tables of Composite Useful Lives and Conversion Factors at [www.revenue.wi.gov/report/p.html#personal](http://www.revenue.wi.gov/report/p.html#personal) to determine the correct declared value or leave the declared value blank and we will look up the value for you. If the schedule is prefilled with information from last year, draw a line through any items disposed of prior to January 1, 2008. Use additional sheets if necessary.

Year Asset Acquired	Description of Asset	Cost When Acquired	Useful Life (Years)	Declared Value on Jan 1, 2008
2006	Equipment Upgrade	\$7,121	10	\$5,711
Total declared value (enter here and on Schedule A)				\$5,711

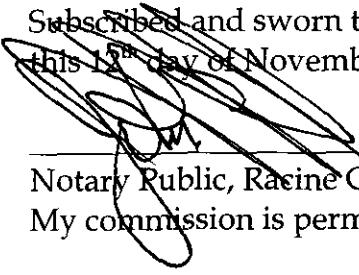
**DECLARATION OF VILLAGE ASSESSOR**

My name is Ed Potter. I am one of the Assessors of and for the Village of Mt. Pleasant. I have personal knowledge:

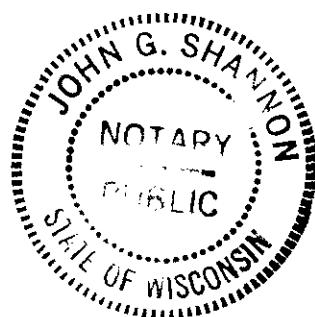
1. That Circuit City Store located at 2710 and 2730 So. Green Bay Road is located in the territorial limits of the Village of Mt. Pleasant, Racine County, State of Wisconsin;
2. That said Circuit City Store in question was at all times in 2008 subject to paying tax on its personal property located at said site;
3. That a proper assessment was prepared pursuant to State (Wisconsin) and local law for said Circuit City location and sent to Circuit City in the normal and property course (See Exhibit 1);
4. That the assessment was not objected to or contested by Circuit City in conformance with local and State laws;
5. That Circuit City has not paid the 2008 Personal Property Tax in the amount of \$5,049.00 inclusive of interest and penalties and that said amount is due and owing in full.

Dated this 12<sup>th</sup> day of November, 2009.

  
\_\_\_\_\_  
Ed Potter, Assessor  
Village of Mt. Pleasant

Subscribed and sworn to before me  
this 12<sup>th</sup> day of November, 2009.  


Notary Public, Racine County, Wisconsin.  
My commission is permanent.



**DYE • FOLEY • KROHN • SHANNON, S.C.**

ATTORNEYS AT LAW

John G. Shannon  
Kenneth E. Rusch  
Mark R. Hinkston

Telephone: (262) 637-1260  
Facsimile: (262) 637-1460  
Milwaukee Telephone: (414) 762-7290

Of counsel to the firm:  
John W. Foley  
Thomas C. Krohn

November 12, 2009

**Via UPS/Overnight Mail**  
Clerk of the Bankruptcy Court  
United States Bankruptcy Court  
701 East Broad Street-Room 4000  
Richmond, VA 23219

**RE: Circuit City Stores, Inc. et al**  
**Case No. 08-35653(KRH)/Objection to Discharge**  
**Our Client: Village of Mt. Pleasant**

Dear Clerk:

Enclosed herewith for filing in duplicate please find Objection to Discharge filed on behalf of Claimant, Village of Mt. Pleasant, Racine County, Wisconsin, relative to Personal Property Taxes due for the Circuit City Stores, Inc. retail store formerly located at 2710 and 2730 Green Bay Road, Racine, WI 53406.

By a copy hereof, we are providing a copy of this Objection to appearing counsel.

Please acknowledge receipt of this Objection by file stamping the copy enclosed and returning it in the envelope provided.

Very truly yours,

John G. Shannon

JGS:lkb

Enclosures

cc: Juliet Edmands, Village Clerk

Gregg M. Galardi and Ian S. Fredericks/Via UPS Overnight Mail

Dion W. Hayes and Douglas M. Foley/Via UPS Overnight Mail

Chris L. Dickerson/Via UPS Overnight Mail